United Nations A/HRC/35/L.19

General Assembly

Distr.: Limited
19 June 2017

Original: English

Human Rights Council
Thirty-fifth session
6–23 June 2017
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Algeria,* Australia,* Argentina,* Belgium, Bosnia and Herzegovina,* Botswana, Brazil, Canada,* Côte d'Ivoire, Croatia, Cyprus,* Czechia,* Denmark,* Estonia,* Finland,* Georgia, Germany, Ghana, Guinea,* Honduras,* Hungary, Iceland,* Ireland,* Israel,* Japan, Latvia, Liechtenstein,* Luxembourg,* Maldives,* Malta,* Mexico,* Montenegro,* Netherlands, Panama, Paraguay, Peru,* Poland,* Portugal, Republic of Korea, Republic of Moldova,* Romania,* Serbia,* Slovakia,* Slovenia, Spain,* Sweden,* Switzerland, Thailand,* the former Yugoslav Republic of Macedonia,* Ukraine,* United Kingdom of Great Britain and Northern Ireland, United States of America: draft resolution

35/... Mandate of the Special Rapporteur on the independence of judges and lawyers

The Human Rights Council,

Recalling all previous resolutions and decisions of the Human Rights Council, as well as those of the Commission on Human Rights and the General Assembly, on the independence of the judiciary and on the integrity of the judicial system,

Convinced that an independent and impartial judiciary, an independent legal profession, an objective and impartial prosecution able to perform its functions accordingly, and the integrity of the judicial system are essential prerequisites for the protection of human rights and fundamental freedoms and the application of the rule of law, and for ensuring fair trials without any discrimination,

Condemning the increasingly frequent attacks on the independence of judges, lawyers, prosecutors and court officials, in particular threats, intimidation and interference in the discharge of their professional functions,

Recalling Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the

* State not a member of the Human Rights Council.

Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. *Commends* the Special Rapporteur on the independence of judges and lawyers for the important work undertaken in the discharge of the mandate;

2. *Decides* to extend the mandate of the Special Rapporteur on the independence of judges and lawyers for a period of three years, on the same terms as provided by the Human Rights Council in its resolution 26/7 of 26 June 2014;

3. *Urges* all Governments to cooperate with and assist the Special Rapporteur in the performance of his or her tasks, to provide all necessary information requested by him or her, to respond to communications transmitted to them by the Special Rapporteur without undue delay, to consider responding favourably to his or her requests for visits and to consider implementing his or her recommendations;

4. *Encourages* the United Nations, including its specialized agencies, as well as regional organizations, national human rights institutions, independent experts, bar associations, professional associations of judges and prosecutors, non-governmental organizations and other relevant stakeholders, to cooperate to the fullest extent possible with the Special Rapporteur in the fulfilment of his or her mandate;

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the necessary human and financial resources for the effective fulfilment of his or her mandate;

6. *Decides* to continue consideration of this issue in accordance with its annual programme of work.